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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,662	09/18/2003	Yoshihiro Ishikawa	15689.57.1	4614
22913 7590 03/22/2007 WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY) 60 EAST SOUTH TEMPLE 1000 EAGLE GATE TOWER SALT LAKE CITY, UT 84111			EXAMINER NGUYEN, HUY D	
			ART UNIT 2617	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/664,662	ISHIKAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Huy D. Nguyen	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-6 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US Patent No. 6,195,551) in view of Wan (US Patent No. 6,044,069).

Regarding claim 1, Kim et al. teaches a cell search control method in a CDMA mobile communication system including a mobile station which decides a base station the mobile station waits for or communicates with by receiving a plurality of perch channels transmitted from a plurality of base stations station, and which monitors a paging signal to the mobile station by means of intermittent reception in an idle mode, said cell search control method comprising the step of:

carrying out, in the mobile station, measurement of receiving quality of the plurality of perch channels (e.g., Controller 204 searches for a pilot channel transmitted from one of the plurality of base stations 101, 102, 103, . . . 10(N-1), and 10N (where, N is an integer) having the

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strongest strength on a current CDMA frequency assignment as an active base station 101 and measures a strength  $A(N)$  (where,  $N$  is an integer) of the pilot channel searched – see col. 4, lines 18-23) in synchronization with timing of receiving the paging signal transmitted from one of the plurality of base stations to a mobile station (e.g., Controller 204 searches for a paging channel on which a neighbor list( $K$ ) (where  $K$  is an integer) of the active base station 101 in synchronization with the pilot channel transmitted from the active base station 101 – see col. 4, lines 26-29).

Kim et al. does not teach that the paging signal is sent to a mobile station group which includes the mobile station. However, the preceding limitation is taught in Wan (see column 14, lines 13-15). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Wan to the teaching of Kim et al. to save system resources by using multicast.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US Patent No. 6,195,551) in view of Wan (US Patent No. 6,044,069) and in further view of Mazawa et al. (US Patent No. 6,628,631).

Regarding claim 2, the combination of Kim et al. and Wan teaches the claimed invention except that the measurement of the receiving quality of the perch channel is carried out in the mobile station when a time period counted from a latest measurement of the receiving quality claim of the perch channel exceeds a predetermined value. However, the preceding limitation is taught in Mazawa et al. (see column 13, lines 31-33). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Mazawa et al. to the combination of Kim et al and Wan to maintain a consistent amount of used radio resources in a

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radio base station regardless of whether a handoff is being made or not, while preserving uninterrupted communications and cell diversity effect.

***Allowable Subject Matter***

5. Claims 3-6 are allowed. The following is an examiner's statement of reasons for allowance:

Regarding claims 3 and 5, the cited prior arts, either alone or in combination, fail to teach paging signal reception decision means for deciding in an idle mode as to whether the paging signal transmitted from one of the plurality of based stations to a mobile station group which includes said mobile station by said paging signal transmitting means is received or not by intermittent reception, in combination with all of other limitations in the claims.

Claim 4 depends on claim 3. Thus, it is allowable.

Claim 6 depends on claim 5. Thus, it is allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Contact Information***


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**JEAN GELIN**  
**PRIMARY EXAMINER**

Handwritten signature of Jean Gelin in cursive script.

  
Huy D Nguyen  
Patent Examiner  
Art Unit 2617